

Remarks

Claims 8, 9, 28, 32, and 38 have been amended for grammatical and/or formatting reasons and not for any reasons relating to patentability. Claims 5-6, 10-19, and 35 were canceled without prejudice in previous Amendments. No question of new matter arises and entry of the above-requested amendments is respectfully requested.

Claims 1-4, 7-9, 20-34, and 36-38 are before the Examiner for consideration.

Double Patenting

Claims 1-4, 7-9, 20-34, and 36-38 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 and 20-23 of co-pending application USSN 11/657,272 to Tan, *et al.* The Examiner asserts that although the claims are not identical, they are not patentably distinct from each other because the only difference between the claims is the refining of the fibers after the treatment. However, the Examiner asserts that refining the fibers is a common operation in the pulp and papermaking industry to modify the morphology of the fibers to desired levels depending upon the use of such pulps.

In response to the provisional double patenting rejection of claims 1-4, 7-9, 20-34, and 36-38, Applicants submit herewith a Terminal Disclaimer disclaiming the terminal part of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on co-pending application USSN 11/657,272, filed on January 24, 2007 as such term is defined in 35 U.S.C. §154 and §173.

In view of the filing of a Terminal Disclaimer in conjunction with the filing of this Amendment, Applicants respectfully request that this rejection be withdrawn.

Double Patenting

Claims 1-4, 7-9, 20-34, and 36-38 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of co-pending application USSN 12/152,829 to Tan, *et al.* The Examiner asserts that although the claims are not identical, they are not patentably distinct from each other because of the overlapping scope of the claims. In particular, the Examiner asserts that the only difference between the claims is the recitation of the use of cellulosic fibers in the method of the co-pending application and softwood fibers in the current application.

However, it is asserted that softwood fibers are a species of cellulosic fibers and it is well known to use such species for making pulp for paper making.

In response to the provisional double patenting rejection of claims 1-4, 7-9, 20-34, and 36-38, Applicants submit herewith a Terminal Disclaimer disclaiming the terminal part of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on co-pending application USSN 12/152,829, filed May 16, 2008 as such term is defined in 35 U.S.C. §154 and §173.

In view of the filing of a Terminal Disclaimer in conjunction with the filing of this Amendment, Applicants respectfully request that this rejection be withdrawn.

Indication of Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claims 1-4, 7-9, 20-34, and 36-38 and request that these claims be passed to allowance.

Conclusion

In light of the above, Applicants believe that this application is now in condition for allowance and therefore request favorable consideration.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 09-0525 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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